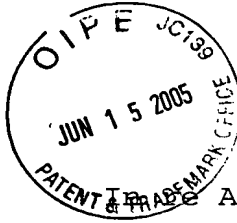


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1634



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Peter Richard REEVES et al

Conf. No.: **6333**

Appln. No.: **09/423,093**

Group Art Unit: **1634**

Filed: **November 1, 1999**

Examiner: **Sisson, B.**

For: **NUCLEIC ACID MOLECULES SPECIFIC FOR
BACTERIAL ANTIGENS AND USES THEREOF**

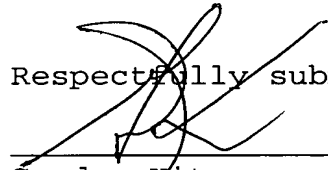
STATEMENT UNDER 37 C.F.R. § 1.97(e)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,


Gordon Kit
Registration No. 30,764

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: June 15, 2005



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter Richard REEVES et al

Conf. No.: **6333**

Appln. No.: **09/423,093**

Group Art Unit: **1634**

Filed: **November 1, 1999**

Examiner: **Sisson, B.**

For: **NUCLEIC ACID MOLECULES SPECIFIC FOR
BACTERIAL ANTIGENS AND USES THEREOF**

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of each of the listed documents, along with a copy of the corresponding Supplementary European Search Report dated March 23, 2005, is submitted herewith.

The present Information Disclosure Statement is being filed after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action. Therefore, Applicants are filing concurrently herewith a Statement Under 37 C.F.R. § 1.97(e). No fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art

INFORMATION DISCLOSURE STATEMENT
U.S. Appln. No. 09/423,093

against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

SUGHRUE MION, PLLC

Telephone: (202) 293-7060
Facsimile: (202) 293-7860

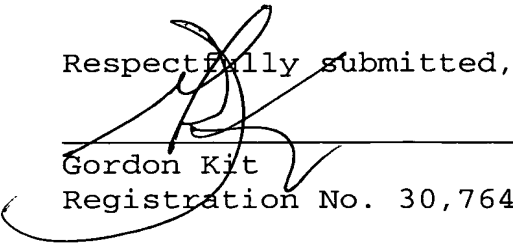
WASHINGTON OFFICE

23373

CUSTOMER NUMBER

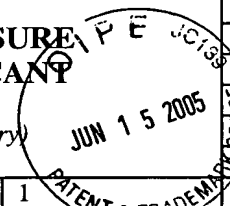
Date: June 15, 2005

Respectfully submitted,



Gordon Kit

Registration No. 30,764

Substitute for Form 1449 A & B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	09/423,093
				Confirmation Number	6333
				Filing Date	November 1, 1999
				First Named Inventor	Peter R. REEVES et al
				Art Unit	1634
				Examiner Name	Sisson, B.
Sheet 1 of 1				Attorney Docket Number	Q70656

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ <i>(if known)</i>			

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Wang et al, <i>Infection and Immunity</i> , 66(8):3545-3551 (1998)	
		Brown et al, <i>Molecular Microbiology</i> , 6(10):1385-1394 (1992)	
		Wang et al, <i>J. of Bacteriology</i> , 178(9):2598-2604 (1996)	
		Jiang et al, <i>Molecular Microbiology</i> , 5(3):695-713 (1991)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.